Fill in this information to identify the case:
United States Bankruptcy Court for the:
Middle District of Pennsylvania (State)
Case number (*If known*): ____________ Chapter 7

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy 04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals,* is available.

1. Debtor's name

CD Excavating LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

CD Excavating, LLC

3. Debtor's federal Employer Identification Number (EIN)

46-4518807

4. Debtor's address

Principal place of business

2128 Woodcrest Lane
Number Street

E. Stroudsburg PA 18301
City State ZIP Code

Monroe
County

Mailing address, if different from principal place of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: ____________

7. Describe debtor's business

A. *Check one:*

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. *Check all that apply:*

☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See http://www.uscourts.gov/four-digit-national-association-naics-codes .

2 3 8 1

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

☒ Chapter 7
☐ Chapter 9
☐ Chapter 11. *Check all that apply:*

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than $2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

☒ No
☐ Yes. District ______ When ______ (MM / DD / YYYY) Case number ______
District ______ When ______ (MM / DD / YYYY) Case number ______

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list.

☒ No
☐ Yes. Debtor ______ Relationship ______
District ______ When ______ (MM / DD / YYYY)
Case number, if known ______

11. Why is the case filed in *this district*?

Check all that apply:

- [x] Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- [ ] A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- [x] No
- [ ] Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (*Check all that apply.*)

- [ ] It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
  What is the hazard? __________
- [ ] It needs to be physically secured or protected from the weather.
- [ ] It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- [ ] Other __________

Where is the property? __________
Number Street

____

City State ZIP Code

Is the property insured?

- [ ] No
- [ ] Yes. Insurance agency __________

  Contact name __________

  Phone __________

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- [ ] Funds will be available for distribution to unsecured creditors.
- [ ] After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- [x] 1-49
- [ ] 50-99
- [ ] 100-199
- [ ] 200-999
- [ ] 1,000-5,000
- [ ] 5,001-10,000
- [ ] 10,001-25,000
- [ ] 25,001-50,000
- [ ] 50,001-100,000
- [ ] More than 100,000

15. Estimated assets

- [ ] $0-$50,000
- [ ] $50,001-$100,000
- [ ] $100,001-$500,000
- [ ] $500,001-$1 million
- [x] $1,000,001-$10 million
- [ ] $10,000,001-$50 million
- [ ] $50,000,001-$100 million
- [ ] $100,000,001-$500 million
- [ ] $500,000,001-$1 billion
- [ ] $1,000,000,001-$10 billion
- [ ] $10,000,000,001-$50 billion
- [ ] More than $50 billion

16. Estimated liabilities

- ☐ $0-$50,000
- ☐ $50,001-$100,000
- ☐ $100,001-$500,000
- ☐ $500,001-$1 million
- ☒ $1,000,001-$10 million
- ☐ $10,000,001-$50 million
- ☐ $50,000,001-$100 million
- ☐ $100,000,001-$500 million
- ☐ $500,000,001-$1 billion
- ☐ $1,000,000,001-$10 billion
- ☐ $10,000,000,001-$50 billion
- ☐ More than $50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/18/2017
MM / DD / YYYY

X [signature]
Signature of authorized representative of debtor

Christopher Debenedictis
Printed name

Title Member/President

18. Signature of attorney

X [signature]
Signature of attorney for debtor

Date 5/18/17
MM / DD / YYYY

Philip W. Stock, Esquire
Printed name

Law Office of Philip W. Stock
Firm name

706 Monroe Street
Number Street

Stroudsburg
City

PA
State

18360
ZIP Code

(570) 420-0500
Contact phone

pwstock@ptd.net
Email address

53203
Bar number

PA
State

UNITED STATES BANKRUPTCY COURT
Middle District of Pennsylvania

In re:

CD Excavating LLC,

Debtor(s)

Case No. BKY

Chapter 7 Case

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Christopher Debenedictis, declare under penalty of perjury that I am the Member/President of CD Excavating LLC, a Pennsylvania LLC and that on May 18, 2017 the following resolution was duly adopted by the Member/President of this LLC:

"Whereas, it is in the best interest of this LLC to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 7 of Title 11 of the United States Code;

Be It Therefore Resolved, that Christopher Debenedictis, Member/President of this LLC is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 7 voluntary bankruptcy case on behalf of the LLC and;

Be It Further Resolved, that Christopher Debenedictis, Member/President of this LLC is authorized and directed to appear in all bankruptcy proceedings on behalf of the LLC and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the LLC in connection with such bankruptcy case; and

Be It Further Resolved, that Christopher Debenedictis, Member/President of this LLC is authorized and directed to employ Philip W. Stock, Esquire, attorney and the law firm of Law Office of Philip W. Stock to represent the LLC in such bankruptcy case."

Executed on:	Signed: ***E signature debtor TE***
[signature] 5/18/2017	Christopher Debenedictis 2128 Woodcrest Lane, E. Stroudsburg, PA 18301 (*Name and Address of Subscriber*)

United States Bankruptcy Court
Middle District of Pennsylvania

In re **CD Excavating LLC** Case No.

Debtor. Chapter **7**

STATEMENT OF CORPORATE OWNERSHIP

Comes now **CD Excavating LLC** (the "Debtor") and pursuant to Fed. R. Bankr. P. 1007(a) and 7007.1 state as follows:

____ All corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests are listed below:

OR,

__X__ There are no entities to report.

By: ______________________________
Philip W. Stock, Esquire
Signature of Attorney

Counsel for
Bar no.: **53203**
Address.: **706 Monroe Street**
Stroudsburg, Pennsylvania 18360

Telephone No.: **(570) 420-0500**
Fax No.: **(570) 338-0920**
E-mail address: **pwstock@ptd.net**

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ____________________

☐ Check if this is an amended filing

Official Form 206A/B

Schedule A/B: Assets — Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

Part 1: Cash and cash equivalents

1. Does the debtor have any cash or cash equivalents?

☐ No. Go to Part 2.
☒ Yes. Fill in the information below.

All cash or cash equivalents owned or controlled by the debtor — **Current value of debtor's interest**

2. Cash on hand — $20.00

3. Checking, savings, money market, or financial brokerage accounts *(Identify all)*

	Name of institution (bank or brokerage firm)	Type of account	Last 4 digits of account number	Current value of debtor's interest
3.1.	PNC Bank	Business Checking	5 0 6 7	$1,966.00
3.2.				$

4. Other cash equivalents *(Identify all)*

4.1. ______________________ $

4.2. ______________________ $

5. Total of Part 1 — $1,986.00

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

Part 2: Deposits and prepayments

6. Does the debtor have any deposits or prepayments?

☒ No. Go to Part 3.
☐ Yes. Fill in the information below.

Current value of debtor's interest

7. Deposits, including security deposits and utility deposits

Description, including name of holder of deposit

7.1. ______________________ $

7.2. ______________________ $

8. **Prepayments, including prepayments on executory contracts, leases, insurance, taxes, and rent**

Description, including name of holder of prepayment

8.1. $

8.2. $

9. **Total of Part 2.**

Add lines 7 through 8. Copy the total to line 81. $

Part 3: Accounts receivable

10. **Does the debtor have any accounts receivable?**

☐ No. Go to Part 4.

☒ Yes. Fill in the information below.

Current value of debtor's interest

11. **Accounts receivable**

	face amount		doubtful or uncollectible accounts		Current value of debtor's interest
11a. 90 days old or less:	$2,059.00	-	$0.00	= ....➔	$2,059.00
11b. Over 90 days old:	$0.00	-	$0.00	= ....➔	$0.00

12. **Total of Part 3**

Current value on lines 11a + 11b = line 12. Copy the total to line 82. $2,059.00

Part 4: Investments

13. **Does the debtor own any investments?**

☐ No. Go to Part 5.

☒ Yes. Fill in the information below.

Valuation method used for current value **Current value of debtor's interest**

14. **Mutual funds or publicly traded stocks not included in Part 1**

Name of fund or stock:

14.1. $

14.2. $

15. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including any interest in an LLC, partnership, or joint venture**

Name of entity: % of ownership:

15.1. 0 % $

15.2. % $

16. **Government bonds, corporate bonds, and other negotiable and non-negotiable instruments not included in Part 1**

Describe:

16.1. $

16.2. $

17. **Total of Part 4**

Add lines 14 through 16. Copy the total to line 83. $0.00

Part 5: Inventory, excluding agriculture assets

18. Does the debtor own any inventory (excluding agriculture assets)?

☒ No. Go to Part 6.
☐ Yes. Fill in the information below.

General description	Date of the last physical inventory	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
19. Raw materials				
	MM / DD / YYYY	$		$
20. Work in progress				
	MM / DD / YYYY	$		$
21. Finished goods, including goods held for resale				
	MM / DD / YYYY	$		$
22. Other inventory or supplies				
	MM / DD / YYYY	$		$

23. **Total of Part 5** $
Add lines 19 through 22. Copy the total to line 84.

24. Is any of the property listed in Part 5 perishable?
☐ No
☐ Yes

25. Has any of the property listed in Part 5 been purchased within 20 days before the bankruptcy was filed?
☐ No
☐ Yes. Book value ______ Valuation method ______ Current value ______

26. Has any of the property listed in Part 5 been appraised by a professional within the last year?
☐ No
☐ Yes

Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

☒ No. Go to Part 7.
☐ Yes. Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
28. Crops—either planted or harvested			
	$		$
29. Farm animals *Examples*: Livestock, poultry, farm-raised fish			
	$		$
30. Farm machinery and equipment (Other than titled motor vehicles)			
	$		$
31. Farm and fishing supplies, chemicals, and feed			
	$		$
32. Other farming and fishing-related property not already listed in Part 6			
	$		$

33. **Total of Part 6.** | $________
Add lines 28 through 32. Copy the total to line 85.

34. **Is the debtor a member of an agricultural cooperative?**
- ☐ No
- ☐ Yes. Is any of the debtor's property stored at the cooperative?
  - ☐ No
  - ☐ Yes

35. **Has any of the property listed in Part 6 been purchased within 20 days before the bankruptcy was filed?**
- ☐ No
- ☐ Yes. Book value $________ Valuation method ________ Current value $________

36. **Is a depreciation schedule available for any of the property listed in Part 6?**
- ☐ No
- ☐ Yes

37. **Has any of the property listed in Part 6 been appraised by a professional within the last year?**
- ☐ No
- ☐ Yes

Part 7: Office furniture, fixtures, and equipment; and collectibles

38. **Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?**
- ☐ No. Go to Part 8.
- ☒ Yes. Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
39. **Office furniture**			
________	$________	________	$________
40. **Office fixtures**			
________	$________	________	$________
41. **Office equipment, including all computer equipment and communication systems equipment and software**			
HP Office Jet 8600 printer & 2010 HP All in one computer	$________	________	$200.00
42. **Collectibles** *Examples:* Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; china and crystal; stamp, coin, or baseball card collections; other collections, memorabilia, or collectibles			
42.1________	$________	________	$________
42.2________	$________	________	$________
42.3________	$________	________	$________

43. **Total of Part 7.** | $200.00
Add lines 39 through 42. Copy the total to line 86.

44. **Is a depreciation schedule available for any of the property listed in Part 7?**
- ☒ No
- ☐ Yes

45. **Has any of the property listed in Part 7 been appraised by a professional within the last year?**
- ☒ No
- ☐ Yes

Part 8: Machinery, equipment, and vehicles

46. **Does the debtor own or lease any machinery, equipment, or vehicles?**

☐ No. Go to Part 9.

☒ Yes. Fill in the information below.

General description Include year, make, model, and identification numbers (i.e., VIN, HIN, or N-number)	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
47. Automobiles, vans, trucks, motorcycles, trailers, and titled farm vehicles			
47.1 See Attachment 1	$		$ 740,000.00
47.2 2016 Dodge Ram 5500	$		$ 65,000.00
47.3 2017 GMC Sierra 3500 Truck	$		$ 65,000.00
47.4 See Attachment 2	$		$
See Attachment 3: Additional Automobiles, Vans, Trucks, Motorcycles, Trailers, and Titled Farm Vehicles			
48. Watercraft, trailers, motors, and related accessories Examples: Boats, trailers, motors, floating homes, personal watercraft, and fishing vessels			
48.1	$		$
48.2	$		$
49. Aircraft and accessories			
49.1	$		$
49.2	$		$
50. Other machinery, fixtures, and equipment (excluding farm machinery and equipment)			
	$		$

51. **Total of Part 8.**
Add lines 47 through 50. Copy the total to line 87. **$ 1,070,000.00**

52. **Is a depreciation schedule available for any of the property listed in Part 8?**

☐ No

☒ Yes

53. **Has any of the property listed in Part 8 been appraised by a professional within the last year?**

☐ No

☒ Yes

Part 9: Real property

54. **Does the debtor own or lease any real property?**

☒ No. Go to Part 10.

☐ Yes. Fill in the information below.

55. **Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest**

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building), if available.	**Nature and extent of debtor's interest in property**	**Net book value of debtor's interest** (Where available)	**Valuation method used for current value**	**Current value of debtor's interest**
55.1		$		$
55.2		$		$
55.3		$		$
55.4		$		$
55.5		$		$
55.6		$		$

56. **Total of Part 9.**
Add the current value on lines 55.1 through 55.6 and entries from any additional sheets. Copy the total to line 88. $

57. **Is a depreciation schedule available for any of the property listed in Part 9?**

☐ No

☐ Yes

58. **Has any of the property listed in Part 9 been appraised by a professional within the last year?**

☐ No

☐ Yes

Part 10: Intangibles and Intellectual Property

59. **Does the debtor have any interests in intangibles or intellectual property?**

☒ No. Go to Part 11.

☐ Yes. Fill in the information below.

General description	**Net book value of debtor's interest** (Where available)	**Valuation method used for current value**	**Current value of debtor's interest**
60. **Patents, copyrights, trademarks, and trade secrets**	$		$
61. **Internet domain names and websites**	$		$
62. **Licenses, franchises, and royalties**	$		$
63. **Customer lists, mailing lists, or other compilations**	$		$
64. **Other intangibles, or intellectual property**	$		$
65. **Goodwill**	$		$

66. **Total of Part 10.**
Add lines 60 through 65. Copy the total to line 89. $

67. **Do your lists or records include personally identifiable information of customers** (as defined in 11 U.S.C. §§ 101(41A) and 107)?
- ☐ No
- ☐ Yes

68. **Is there an amortization or other similar schedule available for any of the property listed in Part 10?**
- ☐ No
- ☐ Yes

69. **Has any of the property listed in Part 10 been appraised by a professional within the last year?**
- ☐ No
- ☐ Yes

Part 11: All other assets

70. **Does the debtor own any other assets that have not yet been reported on this form?**

Include all interests in executory contracts and unexpired leases not previously reported on this form.
- ☐ No. Go to Part 12.
- ☒ Yes. Fill in the information below.

Current value of debtor's interest

71. **Notes receivable**

Description (include name of obligor)

_____ Total face amount – doubtful or uncollectible amount = → $

72. **Tax refunds and unused net operating losses (NOLs)**

Description (for example, federal, state, local)

Tax year _____ $
Tax year _____ $
Tax year _____ $

73. **Interests in insurance policies or annuities**

$

74. **Causes of action against third parties (whether or not a lawsuit has been filed)**

$

Nature of claim

Amount requested $

75. **Other contingent and unliquidated claims or causes of action of every nature, including counterclaims of the debtor and rights to set off claims**

$

Nature of claim

Amount requested_ $

76. **Trusts, equitable or future interests in property**

$

77. **Other property of any kind not already listed** *Examples:* Season tickets, country club membership

Tool Box with miscellaneous hand tools $800.00

$

78. **Total of Part 11.**

Add lines 71 through 77. Copy the total to line 90. $800.00

79. **Has any of the property listed in Part 11 been appraised by a professional within the last year?**
- ☒ No
- ☐ Yes

Part 12: Summary

In Part 12 copy all of the totals from the earlier parts of the form.

Type of property	Current value of personal property	Current value of real property
80. **Cash, cash equivalents, and financial assets.** *Copy line 5, Part 1.*	$1,986.00	
81. **Deposits and prepayments.** *Copy line 9, Part 2.*	$0.00	
82. **Accounts receivable.** *Copy line 12, Part 3.*	$2,059.00	
83. **Investments.** *Copy line 17, Part 4.*	$0.00	
84. **Inventory.** *Copy line 23, Part 5.*	$0.00	
85. **Farming and fishing-related assets.** *Copy line 33, Part 6.*	$0.00	
86. **Office furniture, fixtures, and equipment, and collectibles.** *Copy line 43, Part 7.*	$1.00	
87. **Machinery, equipment, and vehicles.** *Copy line 51, Part 8.*	$1,070,000.00	
88. **Real property.** *Copy line 56, Part 9.* →		$0.00
89. **Intangibles and intellectual property.** *Copy line 66, Part 10.*	$0.00	
90. **All other assets.** *Copy line 78, Part 11.*	+ $800.00	
91. **Total.** Add lines 80 through 90 for each column.	91a. $1,074,846.00	+ 91b. $0.00

92. **Total of all property on Schedule A/B.** Lines 91a + 91b = 92. .... $1,074,846.00

Attachment
Debtor: CD Excavating LLC   Case No:

Attachment 1

2016 Kenworth T880 - Serial No. 1XKZD40X8FJ424050, 2016 Kenworth T880 Conv Cab SBA Tractor - Serial No. 1XKZD49X2GJ497290, 2016 MAC Dump Trailer - Serial No. 5MADN4021GC036227, 2016 MAC Dump Trailer - Serial No. 5MADN402XGC034741, 2016 Kenworth T880 - Serial No. 1NKZL40X6GJ473696, 2016 Peterbilt 389L - Serial No. 1NPXX4EX5GD342160, 2015 Summit Aluminum Dump Truck - Serial No. 4171512751, 2017 Kenworth T880 - Serial No. 1NKWX4TX2GJ133335, 2017 Dump Body - Serial No. 0035429

Attachment 2

2017 Mack Ganite Dump Truck

150,000.00

Attachment 3: Additional Automobiles, Vans, Trucks, Motorcycles, Trailers, and Titled Farm

Description: 2007 Freightliner Classic Tractor & 1997 MAC Dump Trailer
Book Value:
Value: $50,000.00

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ____________

❑ Check if this is an amended filing

Official Form 206D

Schedule D: Creditors Who Have Claims Secured by Property 12/15

Be as complete and accurate as possible.

1. **Do any creditors have claims secured by debtor's property?**
   - ❑ No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.
   - ☒ Yes. Fill in all of the information below.

Part 1: List Creditors Who Have Secured Claims

2. **List in alphabetical order all creditors who have secured claims.** If a creditor has more than one secured claim, list the creditor separately for each claim.

Column A — **Amount of claim** — Do not deduct the value of collateral.

Column B — **Value of collateral that supports this claim**

2.1 Creditor's name
Ally Financial

Describe debtor's property that is subject to a lien
2017 GMC Sierra 3500 Truck

Column A: $73,151.00 — Column B: $65,000.00

Creditor's mailing address
PO Box 380902
Bloomington, MN 55438

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Creditor's email address, if known

Is the creditor an insider or related party?
☒ No
❑ Yes

Date debt was incurred 2017

Last 4 digits of account number 3 4 7 8

Is anyone else liable on this claim?
❑ No
☒ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

Do multiple creditors have an interest in the same property?
☒ No
❑ Yes. Specify each creditor, including this creditor, and its relative priority.

As of the petition filing date, the claim is:
Check all that apply.
❑ Contingent
❑ Unliquidated
❑ Disputed

2.2 Creditor's name
Ally Financial

Describe debtor's property that is subject to a lien
2016 Dodge Ram 5500

Column A: $67,843.00 — Column B: $65,000.00

Creditor's mailing address
PO Box 380901
Bloomington, MN 55438

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Creditor's email address, if known

Is the creditor an insider or related party?
☒ No
❑ Yes

Date debt was incurred 2016

Last 4 digits of account number 8 4 5 9

Is anyone else liable on this claim?
❑ No
☒ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

Do multiple creditors have an interest in the same property?
☒ No
❑ Yes. Have you already specified the relative priority?
  ❑ No. Specify each creditor, including this creditor, and its relative priority.
  ❑ Yes. The relative priority of creditors is specified on lines _____

As of the petition filing date, the claim is:
Check all that apply.
❑ Contingent
❑ Unliquidated
❑ Disputed

3. **Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any.** $1,539,153.20

Debtor CD Excavating LLC
Name

Case number (if known)

Part 1: Additional Page

Column A **Amount of claim** Do not deduct the value of collateral.

Column B **Value of collateral that supports this claim**

Copy this page only if more space is needed. Continue numbering the lines sequentially from the previous page.

2.3 Creditor's name
BMO Harris Bank N.A.

Creditor's mailing address
111 W. Monroe Street
Chicago, IL 60603

Creditor's email address, if known

Date debt was incurred 2016

Last 4 digits of account number 2 0 1 7

Do multiple creditors have an interest in the same property?
☒ No
☐ Yes. Have you already specified the relative priority?
☐ No. Specify each creditor, including this creditor, and its relative priority.
☐ Yes. The relative priority of creditors is specified on lines _____

Describe debtor's property that is subject to a lien
See Attachment 1

X

Column A: $1,113,696.20
Column B: $740,000.00

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Is the creditor an insider or related party?
☒ No
☐ Yes

Is anyone else liable on this claim?
☐ No
☐ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

As of the petition filing date, the claim is:
Check all that apply.
☐ Contingent
☐ Unliquidated
☐ Disputed

2.4 Creditor's name
C.H. Brown Co. LLC

Creditor's mailing address
20 W. Frontage Rd.
Wheatland, WY 82201

Creditor's email address, if known

Date debt was incurred 2016

Last 4 digits of account number _ _ _ _

Do multiple creditors have an interest in the same property?
☒ No
☐ Yes. Have you already specified the relative priority?
☐ No. Specify each creditor, including this creditor, and its relative priority.
☐ Yes. The relative priority of creditors is specified on lines _____

Describe debtor's property that is subject to a lien
2007 Freightliner Classic Tractor & 1997 MAC Dump Trailer

Column A: $53,000.00
Column B: $50,000.00

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Is the creditor an insider or related party?
☒ No
☐ Yes

Is anyone else liable on this claim?
☐ No
☒ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

As of the petition filing date, the claim is:
Check all that apply.
☐ Contingent
☐ Unliquidated
☐ Disputed

Debtor CD Excavating LLC
Name

Case number (if known)

Part 1: Additional Page

Column A
Amount of claim
Do not deduct the value of collateral.

Column B
Value of collateral that supports this claim

Copy this page only if more space is needed. Continue numbering the lines sequentially from the previous page.

2.5 Creditor's name

Daimler Truck Financial

Creditor's mailing address

PO Box 5260
Carol Stream, IL 60197

Creditor's email address, if known

Date debt was incurred 2016

Last 4 digits of account number 2 7 3 6

Do multiple creditors have an interest in the same property?

☒ No
☐ Yes. Have you already specified the relative priority?
☐ No. Specify each creditor, including this creditor, and its relative priority.
☐ Yes. The relative priority of creditors is specified on lines _____

Describe debtor's property that is subject to a lien

2016 MAC Dump Trailer

Column A: $61,463.00

Column B: $40,000.00

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Is the creditor an insider or related party?
☒ No
☐ Yes

Is anyone else liable on this claim?
☐ No
☒ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

As of the petition filing date, the claim is:
Check all that apply.
☐ Contingent
☐ Unliquidated
☐ Disputed

2.6 Creditor's name

MACK Financial Services

Creditor's mailing address

PO Box 26131
Greensboro, NC 27402

Creditor's email address, if known

Date debt was incurred 2017

Last 4 digits of account number ____

Do multiple creditors have an interest in the same property?

☒ No
☐ Yes. Have you already specified the relative priority?
☐ No. Specify each creditor, including this creditor, and its relative priority.
☐ Yes. The relative priority of creditors is specified on lines _____

Describe debtor's property that is subject to a lien

2017 Mack Ganite Dump Truck

Column A: $170,000.00

Column B: $150,000.00

Describe the lien
Possessory, Nonpurchase-Money Security Interest

Is the creditor an insider or related party?
☒ No
☐ Yes

Is anyone else liable on this claim?
☐ No
☒ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H).

As of the petition filing date, the claim is:
Check all that apply.
☐ Contingent
☐ Unliquidated
☐ Disputed

Debtor CD Excavating LLC
Name

Case number (if known) ______

Part 2: List Others to Be Notified for a Debt Already Listed in Part 1

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address	On which line in Part 1 did you enter the related creditor?	Last 4 digits of account number for this entity
James K. Haney, Esquire Wong Fleming, 1500 Market Street, 12th FL, E. Tower Philadelphia, PA 19102	Line 2. 3	2 0 1 7
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __
	Line 2. __	__ __ __ __

Attachment
Debtor: CD Excavating LLC Case No:

Attachment 1

2016 Kenworth T880 - Serial No. 1XKZD40X8FJ424050, 2016 Kenworth T880 Conv Cab SBA Tractor - Serial No. 1XKZD49X2GJ497290, 2016 MAC Dump Trailer - Serial No. 5MADN4021GC036227, 2016 MAC Dump Trailer - Serial No. 5MADN402XGC034741, 2016 Kenworth T880 - Serial No. 1NKZL40X6GJ473696, 2016 Peterbilt 389L - Serial No. 1NPXX4EX5GD342160, 2015 Summit Aluminum Dump Truck - Serial No. 4171512751, 2017 Kenworth T880 - Serial No. 1NKWX4TX2GJ133335, 2017 Dump Body - Serial No. 0035429

Fill in this information to identify the case:

Debtor CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known) ____________________

☐ Check if this is an amended filing

Official Form 206E/F

Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

Part 1: List All Creditors with PRIORITY Unsecured Claims

1. **Do any creditors have priority unsecured claims?** (See 11 U.S.C. § 507).
   - ☐ No. Go to Part 2.
   - ☒ Yes. Go to line 2.

2. **List in alphabetical order all creditors who have unsecured claims that are entitled to priority in whole or in part.** If the debtor has more than 3 creditors with priority unsecured claims, fill out and attach the Additional Page of Part 1.

	Priority creditor's name and mailing address	As of the petition filing date, the claim is:	Total claim	Priority amount
2.1	Berkley Net PO Box 535080 Atlanta, GA 30353 **Date or dates debt was incurred** 2016 **Last 4 digits of account number** 3766 **Specify Code subsection of PRIORITY unsecured claim:** 11 U.S.C. § 507(a) (8)	*Check all that apply.* ☐ Contingent ☐ Unliquidated ☐ Disputed **Basis for the claim:** Taxes and Other Government Debts **Is the claim subject to offset?** ☒ No ☐ Yes	$5.00	$5.00
2.2	Easypay Finance PO Box 2549 Carlsbad, California 92018 **Date or dates debt was incurred** 2015 **Last 4 digits of account number** ____ **Specify Code subsection of PRIORITY unsecured claim:** 11 U.S.C. § 507(a) (8)	*Check all that apply.* ☐ Contingent ☐ Unliquidated ☐ Disputed **Basis for the claim:** Taxes and Other Government Debts **Is the claim subject to offset?** ☒ No ☐ Yes	$1.00	$1.00
2.3	E-Z Pass Violations Center, PO Box 4971 Trenton, NJ 08650 **Date or dates debt was incurred** 2016 **Last 4 digits of account number** 7121 **Specify Code subsection of PRIORITY unsecured claim:** 11 U.S.C. § 507(a) (8)	*Check all that apply.* ☐ Contingent ☐ Unliquidated ☐ Disputed **Basis for the claim:** Taxes and Other Government Debts **Is the claim subject to offset?** ☒ No ☐ Yes	$904.00	$904.00

Debtor CD Excavating LLC
Name

Case number (if known)

Part 1. Additional Page

Copy this page if more space is needed. Continue numbering the lines sequentially from the previous page. If no additional PRIORITY creditors exist, do not fill out or submit this page.

Total claim | Priority amount

2.4 Priority creditor's name and mailing address $ 9,000.00 $ 9,000.00

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

As of the petition filing date, the claim is: *Check all that apply.*
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Date or dates debt was incurred
2015

Basis for the claim: Taxes and Other Government Debts

Last 4 digits of account number ____

Is the claim subject to offset?
- ☒ No
- ☐ Yes

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

2.5 Priority creditor's name and mailing address $ 438.00 $ 438.00

PA Turnpike Commission
8000 C Derry St.
Harrisburg, PA 17111

As of the petition filing date, the claim is: *Check all that apply.*
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Date or dates debt was incurred
2016

Basis for the claim: Taxes and Other Government Debts

Last 4 digits of account number 4 5 8 2

Is the claim subject to offset?
- ☒ No
- ☐ Yes

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)

2.6 Priority creditor's name and mailing address $ $

As of the petition filing date, the claim is: *Check all that apply.*
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Date or dates debt was incurred

Basis for the claim:

Last 4 digits of account number ____

Is the claim subject to offset?
- ☐ No
- ☐ Yes

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (____)

2.7 Priority creditor's name and mailing address $ $

As of the petition filing date, the claim is: *Check all that apply.*
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Date or dates debt was incurred

Basis for the claim:

Last 4 digits of account number ____

Is the claim subject to offset?
- ☐ No
- ☐ Yes

Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (____)

Debtor CD Excavating LLC
Name

Case number (if known)

Part 2: List All Creditors with NONPRIORITY Unsecured Claims

3. **List in alphabetical order all of the creditors with nonpriority unsecured claims.** If the debtor has more than 4 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

Amount of claim

3.1 **Nonpriority creditor's name and mailing address**
AT&T Wireless
PO Box 1809
Paramus, NJ 07653

Date or dates debt was incurred 2017
Last 4 digits of account number 5 0 5 6

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☐ Disputed

Basis for the claim: Utility Bill

Is the claim subject to offset?
☒ No
☐ Yes

$356.00

3.2 **Nonpriority creditor's name and mailing address**
County Waste
4236 Route 115
Blakeslee, PA 18610

Date or dates debt was incurred 2017
Last 4 digits of account number 5 9 5 9

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☐ Disputed

Basis for the claim: Utility Bill

Is the claim subject to offset?
☒ No
☐ Yes

$~~300.00~~

3.3 **Nonpriority creditor's name and mailing address**
G.R. Sales & Salvage, Inc.
860 Crowe Rd.
E. Stroudsburg, pa 18301

Date or dates debt was incurred 2016
Last 4 digits of account number ____

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☒ Disputed

Basis for the claim: Rental agreement

Is the claim subject to offset?
☒ No
☐ Yes

$6,300.00

3.4 **Nonpriority creditor's name and mailing address**
Penn National Insurance
PO Box 2257
Harrisburg, PA 17105

Date or dates debt was incurred 2017
Last 4 digits of account number 1 6 6 8

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☐ Disputed

Basis for the claim: Insurance Premium

Is the claim subject to offset?
☒ No
☐ Yes

$4,020.00

3.5 **Nonpriority creditor's name and mailing address**
Service Tire Truck Center
2255 Ave. A
Bethlehem, PA 18017

Date or dates debt was incurred 2016
Last 4 digits of account number 0 9 5 6

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☐ Disputed

Basis for the claim: Purchase of commercial tires

Is the claim subject to offset?
☒ No
☐ Yes

$7,519.00

3.6 **Nonpriority creditor's name and mailing address**
Wrights Express Fuel Card
Wex Inc. PO Box 639
Portland, ME 04140

Date or dates debt was incurred 2016
Last 4 digits of account number 2 3 2 6

As of the petition filing date, the claim is: *Check all that apply.*
☐ Contingent
☐ Unliquidated
☐ Disputed

Basis for the claim: Purchase of fuel

Is the claim subject to offset?
☒ No
☐ Yes

$59,796.00

Part 3: List Others to Be Notified About Unsecured Claims

4. **List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2.** Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

	Name and mailing address	On which line in Part 1 or Part 2 is the related creditor (if any) listed?	Last 4 digits of account number, if any
4.1.	Michael R. Lessa, Esquire Amato Keating and Lessa, PC, 107 N. Commerce Way, Suite 100 Bethlehem, PA 18017	Line 3.5 ☐ Not listed. Explain	0 9 5 6
4.2.	Mr. Esau Kirkmon Greenberg, Grant & Richards, Inc., 5858 Westheimer, Suite 500 Houston, TX 77057	Line 3.6 ☐ Not listed. Explain	2 3 2 6
4.3.		Line ☐ Not listed. Explain	
4.4.		Line ☐ Not listed. Explain	
4.5.		Line ☐ Not listed. Explain	
4.6.		Line ☐ Not listed. Explain	
4.7.		Line ☐ Not listed. Explain	
4.8.		Line ☐ Not listed. Explain	
4.9.		Line ☐ Not listed. Explain	
4.10.		Line ☐ Not listed. Explain	
4.11.		Line ☐ Not listed. Explain	
4.12.		Line ☐ Not listed. Explain	

Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims

5. Add the amounts of priority and nonpriority unsecured claims.

			Total of claim amounts
5a. **Total claims from Part 1**	5a.		$ 10,348.00
5b. **Total claims from Part 2**	5b.	+	$ 78,291.00
5c. **Total of Parts 1 and 2** Lines 5a + 5b = 5c.	5c.		$ 88,639.00

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ______________ Chapter 7

☐ Check if this is an amended filing

Official Form 206G

Schedule G: Executory Contracts and Unexpired Leases 12/15

Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, numbering the entries consecutively.

1. **Does the debtor have any executory contracts or unexpired leases?**
   - ☐ No. Check this box and file this form with the court with the debtor's other schedules. There is nothing else to report on this form.
   - ☒ Yes. Fill in all of the information below even if the contracts or leases are listed on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B).

2. List all contracts and unexpired leases			State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease
2.1	State what the contract or lease is for and the nature of the debtor's interest		
	State the term remaining		
	List the contract number of any government contract		
2.2	State what the contract or lease is for and the nature of the debtor's interest		
	State the term remaining		
	List the contract number of any government contract		
2.3	State what the contract or lease is for and the nature of the debtor's interest		
	State the term remaining		
	List the contract number of any government contract		
2.4	State what the contract or lease is for and the nature of the debtor's interest		
	State the term remaining		
	List the contract number of any government contract		
2.5	State what the contract or lease is for and the nature of the debtor's interest		
	State the term remaining		
	List the contract number of any government contract		

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ____________________

☐ Check if this is an amended filing

Official Form 206H

Schedule H: Codebtors

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

1. **Does the debtor have any codebtors?**
   ☐ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.
   ☒ Yes

2. **In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, *Schedules D-G*.** Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.

	Column 1: Codebtor		Column 2: Creditor	
	Name	Mailing address	Name	Check all schedules that apply:
2.1	Christopher Debenedictis	2128 Woodcrest Lane (Street) E. Stroudsburg (City) PA (State) 18301 (ZIP Code)	Ally Financial See Attachment 1	☒ D ☒ E/F ☐ G
2.2	Janine Scalercio	2128 Woodcrest Lane (Street) E. Stroudsburg (City) PA (State) 18301 (ZIP Code)	Ally Financial	☒ D ☐ E/F ☐ G
2.3		Street City State ZIP Code		☐ D ☐ E/F ☐ G
2.4		Street City State ZIP Code		☐ D ☐ E/F ☐ G
2.5		Street City State ZIP Code		☐ D ☐ E/F ☐ G
2.6		Street City State ZIP Code		☐ D ☐ E/F ☐ G

Attachment
Debtor: CD Excavating LLC Case No:

Attachment 1

Ally Financial, Schedule D
Daimler Truck Financial, Schedule D
C.H. Brown Co. LLC, Schedule D
MACK Financial Services, Schedule D
Service Tire Truck Center, Schedule E/F
Wrights Express Fuel Card, Schedule E/F

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ____________

☐ Check if this is an amended filing

Official Form 206Sum

Summary of Assets and Liabilities for Non-Individuals

12/15

Part 1: Summary of Assets

1. ***Schedule A/B: Assets–Real and Personal Property*** (Official Form 206A/B)

1a. **Real property:**
Copy line 88 from *Schedule A/B* .... $ 0.00

1b. **Total personal property:**
Copy line 91A from *Schedule A/B* .... $ 1,075,045.00

1c. **Total of all property:**
Copy line 92 from *Schedule A/B* .... $ 1,075,045.00

Part 2: Summary of Liabilities

2. ***Schedule D: Creditors Who Hold Claims Secured by Property*** (Official Form 206D)
Copy the total dollar amount listed in Column A, *Amount of claim*, at the bottom of page 1 of *Schedule D* .... $ 1,539,153.20

3. ***Schedule E/F: Creditors Who Have Unsecured Claims*** (Official Form 206E/F)

3a. **Total claim amounts of priority unsecured claims:**
Copy the total claims from Part 1 from line 6a of *Schedule E/F* .... $ 10,348.00

3b. **Total amount of claims of non-priority amount of unsecured claims:**
Copy the total of the amount of claims from Part 2 from line 6b of *Schedule E/F* .... + $ 78,291.00

4. **Total liabilities** ....
Lines 2 + 3a + 3b .... $ 1,627,792.20

UNITED STATES BANKRUPTCY COURT
Middle District of Pennsylvania

In re: **CD Excavating LLC**

Case No. ______________________

Chapter **7**

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS: *Business closed - no longer operating.

1. Gross Income For 12 Months Prior to Filing: $ ____________

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

2. Gross Monthly Income: $ ____________

PART C - ESTIMATED FUTURE MONTHLY EXPENSES:

3. Net Employee Payroll (Other Than Debtor) $ ____________
4. Payroll Taxes **N/A**
5. Unemployment Taxes ____________
6. Worker's Compensation ____________
7. Other Taxes ____________
8. Inventory Purchases (Including raw materials) ____________
9. Purchase of Feed/Fertilizer/Seed/Spray ____________
10. Rent (Other than debtor's principal residence) ____________
11. Utilities ____________
12. Office Expenses and Supplies ____________
13. Repairs and Maintenance ____________
14. Vehicle Expenses ____________
15. Travel and Entertainment ____________
16. Equipment Rental and Leases ____________
17. Legal/Accounting/Other Professional Fees ____________
18. Insurance ____________
19. Employee Benefits (e.g., pension, medical, etc.) ____________
20. Payments to Be Made Directly By Debtor to Secured Creditors For Pre-Petition Business Debts (Specify): ____________
21. Other (Specify): ____________
22. Total Monthly Expenses (Add items 3 - 21) $ **0.00**

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:

23. AVERAGE NET MONTHLY INCOME (Subtract Item 22 from Item 2) $ **0.00**

Fill in this information to identify the case and this filing:

Debtor Name CD Excavating LLC

United States Bankruptcy Court for the: Middle District Of Pennsylvania

Case number (*If known*): ____________________

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- [x] *Schedule A/B: Assets–Real and Personal Property* (Official Form 206A/B)
- [x] *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- [x] *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- [x] *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- [x] *Schedule H: Codebtors* (Official Form 206H)
- [x] *A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206–Summary)
- [ ] Amended *Schedule* ________
- [ ] *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- [ ] Other document that requires a declaration ____________________

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/18/2017
MM / DD / YYYY

X ______________________________
Signature of individual signing on behalf of debtor

Christopher Debenedictis
Printed name

Member/President
Position or relationship to debtor

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

In Re: Case No.

CD Excavating LLC

Debtor(s)

DECLARATION RE: ELECTRONIC FILING OF PETITION, SCHEDULES & STATEMENTS

PART I - DECLARATION OF PETITIONER

I (WE) CD Excavating LLC, the undersigned debtor(s), ***hereby declare under penalty of perjury*** that the information provided in the electronically filed petition, statements, and schedules is true and correct and that I signed these documents prior to electronic filing. I consent to my attorney sending my petition, statements and schedules to the United States Bankruptcy Court. I understand that this DECLARATION RE: ELECTRONIC FILING is to be executed at the First Meeting of Creditors and filed with the Trustee. I understand that failure to file the signed and dated original of this DECLARATION may cause my case to be dismissed pursuant to 11 U.S.C. § 707(a)(3) without further notice. I (we) further declare under penalty of perjury that I (we) signed the original Statement of Social Security Number (s), (Official Form B21), prior to the electronic filing of the petition and have verified the 9-digit social security number displayed on the Notice of Meeting of Creditors to be accurate.

☐ If petitioner is an individual whose debts are primarily consumer debts and who has chosen to file under a chapter: I am aware that I may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, understand the relief available under each chapter, and choose to proceed under this chapter. I request relief in accordance with the chapter specified in this petition. I (WE) and, the undersigned debtor(s), ***hereby declare under penalty of perjury*** that the information provided in the electronically filed petition, statements, and schedules is true and correct.

☒ If petitioner is a corporation or partnership: I declare under a penalty of perjury that the information provided in the electronically filed petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

☐ If petitioner files an application to pay filing fees in installments: I certify that I completed an application to pay the filing fee in installments. I am aware that if the fee is not paid within 120 days of the filing date of filing the petition, the bankruptcy case may be dismissed and, if dismissed, I may not receive a discharge of my debts.

Dated: May 18, 2017

Signed: Christopher DeBenedetto
(Applicant)

(Joint Applicant)

PART II - DECLARATION OF ATTORNEY

I ***declare under penalty of perjury*** that the debtor(s) signed the petition, schedules, statements, etc., including the Statement of Social Security Number(s) (Official Form B21) before I electronically transmitted the petition, schedules, and statements to the United States Bankruptcy Court, and have followed all other requirements in Administrative Orders and Administrative Procedures, including submission of the electronic entry of the debtor(s) Social Security number into the Court's electronic records. If an individual, I further declare that I have informed the petitioner (if an individual) that [he or she] may qualify to proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and have explained the relief available under each chapter. This declaration is based on the information of which I have knowledge.

Dated: 5/18/17

Attorney for Debtor(s) [signature]
Philip W. Stock, Esquire

Address of Attorney **706 Monroe Street**
Stroudsburg, Pennsylvania 18360

UNITED STATES BANKRUPTCY COURT
Middle District of Pennsylvania

STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. ß 341

INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Bankruptcy Administrator has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of -

(1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
(2) the effect of receiving a discharge of debts in bankruptcy;
(3) the effect of reaffirming a debt; and
(4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This statement contains only general principles of law and is not a substitute for legal advice. If you have any questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed in your bankruptcy schedules. A discharge is a court order that says that you do not have to repay your debts, but there are a number of exceptions. Debts which usually may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; debts which were not listed in your bankruptcy schedules; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to repay debts which have been discharged. You can only receive a chapter 7 discharge once every eight (8) years.

WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy. There are exceptions to this general statement. See your lawyer if you have questions.

WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your bankruptcy petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court sixty (60) days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary. They are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt. This is particularly true when property you wish to retain is collateral for a debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues an order of discharge or within sixty (60) days after you filed the reaffirmation agreement with the court, whichever is later.

If you reaffirm a debt and fail to make the payments as required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any deficiency. In addition, creditors may seek other remedies, such as garnishment of wages.

OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtors must pay the chapter 13 trustee the amount set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed $1,000,000 ($250,000 in unsecured debts and $750,000 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

By signing below, I/we acknowledge that I/we have received a copy of this document, and that I/we have had an opportunity to discuss the information in this document with an attorney of my/our choice.

Date 5/18/2017 [signature]

CD Excavating LLC

____

____

WRITTEN NOTICE REQUIRED UNDER SECTION 527(a)(2)

All information that you are required to provide with a petition and thereafter during a case under title 11 ("Bankruptcy") of the United States Code is required to be complete, accurate, and truthful.

All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence the case, and the replacement value of each asset as defined in title 11 United States Code section 506 must be stated in those documents where requested after reasonable inquiry to establish such value.

Current monthly income, the amounts specified in section 707(b)(2), and, in a case under chapter 13 of title 11, disposable income (determined in accordance with section 707(b)(2)), are required to be stated after reasonable inquiry.

Information that you provide during your case may be audited pursuant to title 11. Failure to provide such information may result in dismissal of the case under title 11 or other sanction, including criminal sanctions.

Date May 18, 2017

CD Excavating LLC
Debtor

Joint Debtor

Philip W. Stock, Esquire
Attorney for Debtor(s)

IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of relief is most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of creditors where you may be questioned by a court official called a "trustee" and by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

If you choose to file a chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.

Date 5/18/2017

[signature]
CD Excavating LLC
Debtor

____
Joint Debtor

[signature]
Philip W. Stock, Esquire
Attorney for Debtor(s)

This disclosure is provided to assisted persons pursuant to 11 U.S.C. §527(b)

United States Bankruptcy Court
MIDDLE DISTRICT OF PENNSYLVANIA

In re
CD Excavating LLC

Case No. __________________

Debtor Chapter 7

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U .S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

   For legal services, I have agreed to accept . . . . $ **4,000.00**

   Prior to the filing of this statement I have received . . . . $ **4,000.00**

   Balance Due . . . . $ **0.00**

2. The source of the compensation paid to me was:

   [X] Debtor [ ] Other (specify)

3. The source of compensation to be paid to me is:

   [ ] Debtor [ ] Other (specify)

4. [X] I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

   [ ] I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

   a. Analysis of the debtor' s financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

   b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;

   c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;

e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Amendments, Continuances or Adversary Proceedings.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

5/18/17

Date

Signature of Attorney

Law Office of Philip W. Stock

Name of law firm

Fill in this information to identify the case:

Debtor name CD Excavating LLC

United States Bankruptcy Court for the: Middle District of Pennsylvania

Case number (If known): ____________

☐ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy 04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year				Sources of revenue Check all that apply	Gross revenue (before deductions and exclusions)
From the beginning of the fiscal year to filing date:	From 01/01/2017 (MM / DD / YYYY)	to	Filing date	☒ Operating a business ☐ Other ____	$16,590.72
For prior year:	From 01/01/2016 (MM / DD / YYYY)	to	12/31/2016 (MM / DD / YYYY)	☒ Operating a business ☐ Other ____	$40,000.00
For the year before that:	From 01/01/2015 (MM / DD / YYYY)	to	12/31/2015 (MM / DD / YYYY)	☒ Operating a business ☐ Other ____	$47,727.00

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None

				Description of sources of revenue	Gross revenue from each source (before deductions and exclusions)
From the beginning of the fiscal year to filing date:	From ____ (MM / DD / YYYY)	to	Filing date	____	$____
For prior year:	From ____ (MM / DD / YYYY)	to	____ (MM / DD / YYYY)	____	$____
For the year before that:	From ____ (MM / DD / YYYY)	to	____ (MM / DD / YYYY)	____	$____

Part 2: List Certain Transfers Made Before Filing for Bankruptcy

3. Certain payments or transfers to creditors within 90 days before filing this case

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than $6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☒ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer *Check all that apply*
3.1. Creditor's name Street City State ZIP Code		$	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
3.2. Creditor's name Street City State ZIP Code		$	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than $6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☒ None

Insider's name and address	Dates	Total amount or value	Reasons for payment or transfer
4.1. Insider's name Street City State ZIP Code **Relationship to debtor**		$	
4.2. Insider's name Street City State ZIP Code **Relationship to debtor**		$	

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

	Creditor's name and address	Description of the property	Date	Value of property
5.1.	Creditor's name Street City State ZIP Code			$
5.1.	Creditor's name Street City State ZIP Code			$

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address	Description of the action creditor took	Date action was taken	Amount
Creditor's name Street City State ZIP Code	Last 4 digits of account number: XXXX– _ _ _ _		$

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☐ None

	Case title	Nature of case	Court or agency's name and address	Status of case
7.1.	See Attachment 1 Case number 3189 CV 2017	Civil Action	Court of Common Pleas Name Monroe County Street Stroudsburg PA 18360 City State ZIP Code	☒ Pending ☐ On appeal ☐ Concluded
7.2.	Case title Case number		Court or agency's name and address Name Street City State ZIP Code	☐ Pending ☐ On appeal ☐ Concluded

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Custodian's name and address	Description of the property	Value
Custodian's name		$
Street	Case title	Court name and address
		Name
City State ZIP Code	Case number	Street
	Date of order or assignment	City State ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than $1,000

☒ None

	Recipient's name and address	Description of the gifts or contributions	Dates given	Value
9.1.	Recipient's name Street City State ZIP Code Recipient's relationship to debtor			$
9.2.	Recipient's name Street City State ZIP Code Recipient's relationship to debtor			$

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred	Amount of payments received for the loss If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received. List unpaid claims on Official Form 106A/B (*Schedule A/B: Assets – Real and Personal Property*).	Date of loss	Value of property lost
			$

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

	Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
11.1.	Philip W. Stock, Esquire	Legal Fee & Filing Fee	May 9, 2017	$ 4,335.00

Address

706 Monroe Street
Street

Stroudsburg PA 18360
City State ZIP Code

Email or website address

Who made the payment, if not debtor?

	Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
11.2.				$

Address

Street

City State ZIP Code

Email or website address

Who made the payment, if not debtor?

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.
Do not include transfers already listed on this statement.

☒ None

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
			$

Trustee

13. Transfers not already listed on this statement

List any transfers of money or other property—by sale, trade, or any other means—made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None

	Who received transfer?	Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
13.1.				$
	Address			
	Street			
	City State ZIP Code			
	Relationship to debtor			
	Who received transfer?			$
13.2.				
	Address			
	Street			
	City State ZIP Code			
	Relationship to debtor			

Part 7: Previous Locations

14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

	Address	Dates of occupancy	
14.1.	Street City State ZIP Code	From	To
14.2.	Street City State ZIP Code	From	To

Part 8: Healthcare Bankruptcies

15. Healthcare bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

— diagnosing or treating injury, deformity, or disease, or

— providing any surgical, psychiatric, drug treatment, or obstetric care?

☒ No. Go to Part 9.

☐ Yes. Fill in the information below.

	Facility name and address	Nature of the business operation, including type of services the debtor provides	If debtor provides meals and housing, number of patients in debtor's care
15.1.	Facility name Street City State ZIP Code	Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.	How are records kept? *Check all that apply:* ☐ Electronically ☐ Paper
15.2.	Facility name Street City State ZIP Code	Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.	How are records kept? *Check all that apply:* ☐ Electronically ☐ Paper

Part 9: Personally Identifiable Information

16. Does the debtor collect and retain personally identifiable information of customers?

☒ No.

☐ Yes. State the nature of the information collected and retained.

Does the debtor have a privacy policy about that information?

☐ No

☐ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b) or other pension or profit-sharing plan made available by the debtor as an employee benefit?

☒ No. Go to Part 10.

☐ Yes. Does the debtor serve as plan administrator?

☐ No. Go to Part 10.

☐ Yes. Fill in below:

Name of plan

Employer identification number of the plan

EIN: __ __ – __ __ __ __ __ __ __

Has the plan been terminated?

☐ No

☐ Yes

Debtor CD Excavating LLC Case number (if known)

Name

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☐ None

	Financial institution name and address	Last 4 digits of account number	Type of account	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
18.1.	ESSA Bank & Trust (Name) 2826 PA-611 (Street) Tannersville PA 18327 (City State ZIP Code)	XXXX–	☒ Checking ☐ Savings ☐ Money market ☐ Brokerage ☐ Other		$ 100.00
18.2.	Name Street City State ZIP Code	XXXX–	☐ Checking ☐ Savings ☐ Money market ☐ Brokerage ☐ Other		$

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address	Names of anyone with access to it	Description of the contents	Does debtor still have it?
Name Street City State ZIP Code	Address		☐ No ☐ Yes

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address	Names of anyone with access to it	Description of the contents	Does debtor still have it?
Name Street City State ZIP Code	Address		☐ No ☐ Yes

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another
List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Owner's name and address	Location of the property	Description of the property	Value
Name Street City State ZIP Code			$

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- *Environmental law* means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium)
- *Site* means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- *Hazardous material* means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. **Has the debtor been a party in any judicial or administrative proceeding under any environmental law?** Include settlements and orders.

☒ No
☐ Yes. Provide details below.

Case title	Court or agency name and address	Nature of the case	Status of case
Case number	Name Street City State ZIP Code		☐ Pending ☐ On appeal ☐ Concluded

23. **Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?**

☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name Street City State ZIP Code	Name Street City State ZIP Code		

24. **Has the debtor notified any governmental unit of any release of hazardous material?**

- [x] No
- [ ] Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name Street City State ZIP Code	Name Street City State ZIP Code		

Part 13: Details About the Debtor's Business or Connections to Any Business

25. **Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

- [x] None

	Business name and address	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.
25.1.	Name Street City State ZIP Code		EIN: __ __ – __ __ __ __ __ __ __ Dates business existed From ______ To ______
25.2.	Name Street City State ZIP Code		EIN: __ __ – __ __ __ __ __ __ __ Dates business existed From ______ To ______
25.3.	Name Street City State ZIP Code		EIN: __ __ – __ __ __ __ __ __ __ Dates business existed From ______ To ______

26. Books, records, and financial statements

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☐ None

	Name and address	Dates of service
26a.1.	Deborah E. Boyle, CPA (Name) Weseloh Carney and Company, LLC (Street) One Washington St. E. Stroudsburg (City) PA (State) 18301 (ZIP Code)	From 01/01/2013 To 03/07/2017
26a.2.	Name Street City State ZIP Code	From ______ To ______

26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

	Name and address	Dates of service
26b.1.	Deborah E. Boyle, CPA (Name) Weseloh Carney and Company, LLC (Street) One Washington St. E. Stroudsburg (City) PA (State) 18301 (ZIP Code)	From 01/01/2013 To 03/07/2017
26b.2.	Name Street City State ZIP Code	From ______ To ______

26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

	Name and address	If any books of account and records are unavailable, explain why
26c.1.	Deborah E. Boyle, CPA (Name) Weseloh Carney and Company, LLC (Street) One Washington St. E. Stroudsburg (City) PA (State) 18301 (ZIP Code)	

Name and address | **If any books of account and records are unavailable, explain why**

26c.2:
Name
Street

City State ZIP Code

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☐ None

Name and address

26d.2. Deborah E. Boyle, CPA
Name
Weseloh Carney and Company, LLC
Street
One Washington St.
E. Stroudsburg PA 18301
City State ZIP Code

Name and address

26d.2.
Name
Street

City State ZIP Code

27. **Inventories**

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No
☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory	**Date of inventory**	**The dollar amount and basis (cost, market, or other basis) of each inventory**
		$

Name and address of the person who has possession of inventory records

27.1.
Name
Street

City State ZIP Code

Name of the person who supervised the taking of the inventory	Date of inventory	The dollar amount and basis (cost, market, or other basis) of each inventory
		$

Name and address of the person who has possession of inventory records

27.2. Name
Street
City State ZIP Code

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name	Address	Position and nature of any interest	% of interest, if any
Christopher Debenedictis	See Attachment 2	President - Stockholder	100

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

- [x] No
- [ ] Yes. Identify below.

Name	Address	Position and nature of any interest	Period during which position or interest was held
			From ___ To ___
			From ___ To ___
			From ___ To ___
			From ___ To ___

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

- [x] No
- [ ] Yes. Identify below.

Name and address of recipient	Amount of money or description and value of property	Dates	Reason for providing the value
30.1. Name Street City State ZIP Code **Relationship to debtor**			

Name and address of recipient

Name

Street

City State ZIP Code

Relationship to debtor

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

☒ No
☐ Yes. Identify below.

Name of the parent corporation

Employer Identification number of the parent corporation

EIN: __ __ - __ __ __ __ __ __ __

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

☒ No
☐ Yes. Identify below.

Name of the pension fund

Employer Identification number of the pension fund

EIN: __ __ - __ __ __ __ __ __ __

Part 14: Signature and Declaration

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/18/2017
MM / DD / YYYY

✘ [signature]
Signature of individual signing on behalf of the debtor

Printed name Christopher Debenedictis

Position or relationship to debtor Member/President

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

☒ No
☐ Yes

Attachment
Debtor: CD Excavating LLC Case No:

Attachment 1

BMO Harris Bank N.A. v CD Excavating LLC / Christopher DeBenedictis

Attachment 2

2128 Woodcrest Lane, E. Stroudsburg, PA 18301

UNITED STATES BANKRUPTCY COURT
Middle District of Pennsylvania

In re: **CD Excavating LLC**

Debtors

Case No. ____________________

Chapter 7

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtorís attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: 5/18/2017 Signed: [signature]

Dated: ____________________ Signed: ____________________